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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/628,568	07/29/2003	Kevin Baker	742441-2	4119

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EXAMINER

TRAN, HANH VAN

ART UNIT	PAPER NUMBER
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3637

MAIL DATE	DELIVERY MODE
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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/628,568

Applicant(s)

BAKER, KEVIN

Examiner

Hanh V. Tran

Art Unit

3637

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 April 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>4/19/2007</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is the Final Office Action from the examiner in charge of this application in response to applicant's amendment dated 4/19/2007.

Claim Objections

2. Claims 4-7 are objected to because of the following informalities: (1) claim 4, line 10, "U-Shaped" should be "U-shaped", (2) since claim 7 depending on claim 6, line 1, "The interlocking frame and panel component assembly of claim 6" should be either "The method of claim 6" or "The method of forming an interlocking frame and panel component assembly of claim 6". Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

5. Claims 1 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over DE 4117429 to Lesperance et al in view of USP 6,209,976 to Shear.

Lesperance et al discloses an interlocking component assembly comprising all the elements recited in the above listed claims including, such as shown in Figs 2, 6, 10,

Art Unit: 3637

a plurality of integrally formed frame and panel components including a top frame and panel component 26, a bottom frame and panel component 22 and side frame and panel components 18/20, each of said plurality of frame components extending about an entire periphery of a respective panel to form a frame and panel component; and means for interconnecting said plurality of assembled frame components and panel components to form an assembly, said interconnecting means comprising a U-shaped channel formed along the periphery of each of the plurality of frame components, each U-shaped channel comprising a first leg portion and a second leg portion having a base portion 30 connected therebetween, said second leg portion 32 including a lip portion 34 attached generally perpendicular to an end thereof, wherein during assembly the channel of a one of said frame components is inserted within a channel of another one of said frame component components and a portion of the lip portion 34 of said one of said frame components is abutted against the base portion 30 of said another one of said frame components to lock the frame components and panel components together along the length thereof. The different being that Lesperance et al fails to disclose the U-shaped channel formed along the entire periphery of each of the plurality of frame components.

However, Shear teaches the idea of an interlocking component assembly comprising all the elements recited in the above listed claims including, such as shown in Fig 1, a plurality of integrally formed frame and panel components having a top frame and panel component 14, a bottom frame and panel component 16, and side frame and panel components 12, with each said frame extending about an entire periphery of a

Art Unit: 3637

respective panel, each frame and panel component having a U-shaped channel formed along the entire periphery of said frame and panel component, wherein during assembly the channel of one of said frame and panel components is inserted within the channel of another one of said frame components to lock the components together along the length thereof in order to provide a sturdy interlocking component assembly. Therefore, it would have been obvious to modify the structure of Lesperance et al by having the U-shaped channel formed along the entire periphery of each of the plurality of frame components, such that during assembly the channel of one of said frame and panel components is inserted within the channel of another one of said frame components to lock the components together along the length thereof in order to provide a sturdy interlocking component assembly, as taught by Shear, since both teach alternate conventional interlocking component assembly structure, used for the same intended purpose, thereby providing structure as claimed. In regard to the method steps of claim 4, since Lesperance et al, as modified, discloses all the elements recited in said method claim, it is inherent that one skill in the art would be able to perform the steps recited in said claim.

6. Claims 2-3, and 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lesperance et al, as modified, as applied to claims 1 and 4 above, and further in view of USP 5,360,263 to Nakano et al and USP 4,173,379 to van der Heiden et al.

Lesperance et al, as modified, discloses all the elements as discussed above including at least one sub-component disposed in the assembly, with the sub-component is defined as a door or a door hinge mounting plate. The differences being

Art Unit: 3637

that Lesperance et al, as modified, does not disclose at least one locking tab disposed within the channel of each component, at least one aperture disposed within the channel of each component, such that during assembly the channel of a frame component is inserted within a channel of another frame component, the at least one locking tab is received within a corresponding aperture, and the method steps recited in claims 5-7.

Nakano et al teaches the idea of providing an interlocking component assembly, such as shown in Fig 1, comprising a plurality of integral frame and panel components P, each having a channel formed along the periphery of each frame component P, at least one locking tab 10 disposed within the channel of each component, and at least one aperture 20 disposed within the channel of each component, wherein during assembly the channel of a frame component is inserted within a channel of another frame component, the at least one locking tab 10 is received within a corresponding aperture to lock the components together along the length thereof without the need of employing additional attachment or locking means between the panel components (col. 1, lines 43-48). Van der Heiden et al also teaches the idea of providing an interlocking component assembly comprising a plurality of panels (3,5), each at least one channel formed along the periphery, at least one locking tab 27 and at least one aperture 26 disposed within the channel. Therefore, it would have been obvious to modify the structure of Shear by providing at least one locking tab disposed within the channel of each component, and at least one aperture disposed within the channel of each component, such that during assembly, the channel of a frame component is inserted

Art Unit: 3637

within a channel of another frame component, the at least one locking tab is received within a corresponding aperture to lock the components together along the length thereof without the need of employing additional attachment or locking means between the panel components, as taught by Nakano et al and van der Heiden et al, since the references teach alternate conventional interlocking component assembly, classified in the same U.S. Classification, thereby providing structure as claimed. In regard to the method claims, since Shear, as modified, teaches all the elements recited in said method claims, it is inherent that one skill in the art would be able to perform the steps recited in said claims.

Response to Arguments

7. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

Art Unit: 3637

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh V. Tran whose telephone number is (571) 272-6868. The examiner can normally be reached on Monday-Thursday, and alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on (571) 272-6867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HVT *HVT*
July 20, 2007

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